



**MINUTES
CITY COUNCIL MEETING
January 21, 2020**

CALL TO ORDER

The meeting was called to order at 6:37 pm.

Present: Mayor: Charlie Miner; Council: Deirdre Kvale, Michelle Jerde, Jahn Dyvik, and Tom Skjaret

Staff Present: City Administrator: Scott Weske; Public Works Director: Sean Diercks; Planning Consultant: PeggySue Imihy; City Attorney: John Thames; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS - LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Miner offered the following comments and updates:

Prior to the regular City Council meeting, the EDA met and heard presentations from three developers interested in developing property alongside City Hall and on Virginia Avenue. The EDA ultimately decided to continue discussions with two interested developers – Lifestyle Communities, LLC and Wayzata Bay Realty. EDA Chair Dyvik and Administrator Weske will be working to put together some written materials to solicit more information from the two developers.

The 33rd annual Orono Lions Snowball Open will be held on Long Lake in front of Birch's on the Lake. A brunch kicks off at 9:00 am, with tee times beginning at 10:00 am.

The Holbrook Park warming house is open, and more information will be in the City newsletter to be released shortly. This is the first year in a few that the building's been able to be opened, and Mayor Miner encouraged residents to partake in skating.

APPROVE AGENDA

A motion was made by Jerde, seconded by Skjaret, to approve the Agenda as presented. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of January 7, 2019 City Council Work Session
- B. Approve Minutes of January 7, 2019 City Council Meeting
- C. Receive Minutes of December 17, 2019 Economic Development Authority Meeting
- D. Approve Vendor Claims and Payroll
- E. Approve Issuance of a 1 to 4 Day Temporary On Sale Liquor License for the Church of St. George to Allow the Sale/Service of Alcoholic Beverages During the 2020 Festival of Music Dinner on Saturday, February 22, 2020

- F. Adopt Resolution No. 2020-01 Appointing Park Board Members, Gina Joyce and Thomas Joyce
- G. Adopt Resolution No. 2020-02 Accepting a Donation to the Long Lake Fire Department in the Amount of \$500.00 from North Shore Marina
- H. Appoint Planning Commission Member Roger Adams as Chair, and Member Steve Keating as Chair Pro-Tempore of the Planning Commission for 2020
- I. Adopt Resolution No. 2020-04 Appointing Election Judges for the 2020 State Presidential Nomination Primary, Primary, and General Elections and Establishing an Absentee Ballot Board

A motion was made by Skjaret, seconded by Jerde, to approve the Consent Agenda as presented. Ayes: all.

OPEN CORRESPONDENCE

No one appeared to address the City Council during Open Correspondence.

BUSINESS ITEMS

Presentation: Diamond Lake Regional Trail Master Plan – Three Rivers Park District

Three Rivers Park District Commissioner Marge Beard (District 1) introduced herself, described her experience in local government, and extended her thanks to the Council for their service. She provided background on the formation of the Three Rivers Park District and its ongoing mission to promote environmental stewardship through recreation and education in a natural resources-based park system, emphasizing that everything their organization does has a natural resources component. The District manages a very heavily used park and trail system comprised of almost 27,000 acres of park resources and recreational facilities, including 25 parks and extensive miles of trails. Though many are familiar with the District's park and recreation offerings, lesser known natural resources projects include a nursery in the Rogers area from which all the trees planted in their parks are grown; a trumpeter swam program undertaken in the 1960s; and involvement in water quality issues including performing aquatic invasive species inspections. Commissioner Beard shared park facility usage statistics tracking use by specifically Long Lake residents, responded to Council questions regarding the District's involvement in water quality through AIS inspections and monitoring, and provided an update on park improvements underway for Baker Park.

Steven Shurson, Project Manager for the Diamond Lake Regional Trail project, presented exhibits depicting the District's regional trail system and highlighting the search corridor for a new Diamond Lake Regional Trail project which would extend a new trail from Wayzata through Orono, Long Lake, Medina, Corcoran, Rogers and Dayton. The process begins with introducing the proposed trail project to City Councils; working to identify a preferred route master plan; involving public engagement through a project website, newsletters, and appearances by Three Rivers Park District at local community events; seeking approval of the preferred route by City Councils; entering into cooperative agreements with each City to lay groundwork for how any land acquisition would proceed; and ultimately requesting City Councils consider adopting resolutions of support prior to final Metropolitan Council / Three Rivers Park District review and approval.

Mr. Shurson responded to Mayor and Council questions about the proposed new trail facility, indicating that the master plan process and cooperative agreements must be in place as a first step prior to inquiring about acquisitions with landowners; confirming that the new trail would provide a connection between the Luce Line Trail and Dakota Trail Rail; mentioning local park and natural resources in the area they would love to consider including in the potential trail corridor; and noted that if they run into situations where it is necessary to extend their intended project timeframe, they will take any extra time needed to do so for the project to be done right.

Mayor Miner concluded by referencing new Long Lake Park Board members in attendance, hoping that the Board has a chance to work on the project as well; and stating that Long Lake looks forward to working with Three Rivers Park District on their proposed project and making the community even more bikeable and walkable.

Mr. Shurson added that he looks forward to working with the Council and City staff.

Planning Case #2020-01 (Orig. #2019-16) / Request for the Approval of a Final Plat for Homewood Farm (Zvago Lakeside Village Cooperative) for Proposed Redevelopment Located at 570 Brown Road N and 1948 Wayzata Boulevard W, Authorization for Execution of a Site Development Agreement and Utility and Access Maintenance Agreement

Planning Consultant Imihy introduced the application for Final Plat, explaining that at the time the developer had applied for rezoning to PUD, PUD Master Development Plan, Preliminary Plat and Village Design review, the applicant did not fully own both properties involved in the project area. With ownership of both properties now complete, Mr. Landhauser and Lifestyle Communities, LLC have applied for Final Plat for Homewood Farm, or the Zvago Lakeside Village Cooperative site. Imihy noted that the Final Plat application is straightforward, easements are being shown in locations staff supports, and staff is recommending approval of the Final Plat subject to conditions of approval related to some standard record-keeping requirements as well as documenting an easement between the project site and the adjacent bank. Staff is also recommending a motion to authorize the Mayor and City Administrator to execute development related agreements between the City and developer for the project. The intent of a Site Development Agreement is essentially to protect the City in the event a development were to fail.

Council member Kvale mentioned that in the utility agreement, there was a statement regarding granting an easement for an obligating the City to conduct routine hydrant flushing.

Imihy noted that the City regularly flushes all hydrants annually.

City Attorney Thames indicated that the agreement could be revised to add language making clear hydrant flushing is done on the City's schedule. He advised that he had prepared the agreements with involvement by Imihy, City Engineer Miller, and the developer. The requested motion for consideration to approve the agreements would allow for minor final revisions to be made by the City Attorney. Thames confirmed that based on his communications with the developer's attorney, he does not anticipate any revisions being a problem; however, any substantial revisions of greater weight would be brought back before Council.

Ben Landhauser and Tim Nichols, Lifestyle Communities, LLC, spoke about their positive experiences working with Long Lake staff and officials, and updated Council on the sales and marketing process they'll be kicking off in the next few weeks. Mr. Nichols noted it was conceivable they may have 100% of the units sold before they conclude one introductory meeting, and stated that they are prepared to start the 12 to 18 month construction period around late summer so that individuals can predict moving in during fall 2021. Mr. Nichols also indicated that anyone interested in viewing their product can visit their design center or visit open houses that occur at their developments.

Responding to a Council member's question regarding the Homewood Farm name for the Final Plat, Mr. Landhauser explained that when they had met with the former owner of the Borgert house, Mr. Borgert described the history of the site and informed them that the original house used to be a farmstead that had property around the western side of Long Lake, and at one point in time, the farmstead had branded their goods as "Homewood Farm". Homeowner Mr. Borgert asked if the

developer would consider doing something to memorialize the history of the site, and they decided to name the plat "Homewood Farm". Mr. Landhauser added that they will also probably have a Homewood suite within the facility as well.

Mr. Nichols confirmed that their interior designers are already aware that they will want historical photos to be included in décor, and emphasized that one "can't form a community without a place to commune".

Mr. Landhauser concluded by indicating that City officials will be invited and welcomed to future ground-breaking and ribbon cutting ceremonies, noting that they will have opportunity to meet the extension of their community as the building opens.

A motion was made by Skjaret, seconded by Dyvik, to adopt Resolution No. 2020-03 approving the request for a Final Plat for Homewood Farm (Zvago Lakeside Village Cooperative project) located at 570 Brown Road N and 1948 Wayzata Boulevard W with the condition that detailed plans and information are provided as stated in the Resolution and staff report dated January 21, 2020. Ayes: all.

A motion was made by Skjaret, seconded by Jerde, to authorize the Mayor and City Administrator to execute the Site Development Agreement and Utility and Access Maintenance Agreement between Lifestyle Communities, LLC and the City of Long Lake, with minor final revisions by the City Attorney. Ayes: all.

Reschedule March City Council Meetings

City Clerk Moeller stated that due to the Presidential Nomination Primary Election taking place on Tuesday, March 3, staff is requesting the City Council make a motion to reschedule the Tuesday, March 3 and Tuesday, March 17 meetings to be held instead on Tuesday, March 10 and Tuesday, March 24. Since March is a "five Tuesday" month, staff is recommending the Council, Planning Commission, and EDA effectively move their meetings one week out from their original dates.

A motion was made by Dyvik, seconded by Jerde, to reschedule the Tuesday, March 3 and Tuesday, March 17 meetings to be held instead on Tuesday, March 10 and Tuesday, March 24, 2020. Ayes: all.

Update on Fire Service Contract and Related Discussions

Mayor Miner reported that last Monday, he, Council member Dyvik, and Administrator Weske were invited to be present at the Fire Department's weekly firefighters meeting and provide them with an update on fire service discussions with Orono not just recently, but over the past couple of years. He, Dyvik and Weske walked away with a sense that there's been a lot of rumors running around, but not a lot of actual information circulated. About 30 to 40 firefighters were in attendance, they had great questions, and voiced concerns about the futures of their roles, pensions, and the leadership of the department. Mayor Miner reflected that it was good for them to hear what Long Lake's involvement has been, as they are Long Lake's employees. Firefighters thought it would be great to hear from Orono as well, and at next week's meeting, Orono's Mayor Walsh, Council member Seals, and Administrator Rief will be present.

Mayor Miner encouraged giving due courtesy to Orono and allowing them to attend the next firefighters meeting without full City representation.

Council member Kvale asked whether there had been any action on Orono's part to terminate under the terms of the agreement, and commented that if they decide to part ways, notice could be short

as cities are needing to plan for budgetary impacts. Staff confirmed no notice had been received, but the agreement provides that notice given before the end of a year is a three-year notice.

Council member Dyvik added that firefighters had also expressed concern that uncertainty about what the future holds will hurt recruiting efforts, and firefighters had varying opinions regarding what logo is on the side of the trucks.

Mayor Miner noted that they had stressed to firefighters that Long Lake does not want to see this cause dissention between them – there was definitely a wide range of opinions, and some have opinions based on where they live. The Long Lake Fire Department has been around for over 100 years. Mayor Miner had emphasized that this is not just a decision of the Council, and the process would certainly be opened up to public feedback. Mayor Walsh seems to be a primary driver of Orono's position seeking taking control of the Fire Department. Mayor Miner has received texts from Mayor Walsh since Mayor Miner's recent letter was sent. Long Lake is still looking to receive feedback regarding entering into negotiations or undertaking discussions of the financials that would be involved in dissolution – in which case, the Cities would need to prepare information regarding their interpretation of the value of assets and stations in relation to the terminology in the fire service agreements.

Weske added that back in 2017, Long Lake had sent a draft 25 year extension agreement to the City of Orono, and that essentially is how this issue began. Reflecting on the 36 month/three-year notice period, he indicated that for the past three years, Long Lake has been making effort to come to a formula or term about continuing to provide service to the Orono area, but the conversation has gone in a different direction.

Mayor Miner confirmed that Orono is standing by their letter of 2018, which essentially stated "take one of these three options or else", and while Long Lake's recent letter had suggested working on mediation, so far that does not appear to be something Orono is interested in doing. Mayor Miner stated that mediation would be at no cost, and when meeting with firefighters, they too had suggested participating in mediation.

Council member Kvale indicated she thinks Long Lake needs a contingency plan, and to spend some time working on a roadmap of where the City would like to be if entering into mediation. Mayor Miner will be working on some ideas to share with the Council.

City Attorney Thames indicated that one of the first things the City would need to establish is what is being mediated. If the position of Orono remains the three options previously stated, assistance will be needed in discussing what the breakdown and dissolution terms would be. He confirmed that the draft sent to Orono in 2017 was largely similar to the current contract but did include some amendments. Both Long Lake and Medina had agreed to the 2017 draft, and it had been sent to Orono as well; however, no response had been received until the 2018 letter. Council member Skjaret added that the Fire Advisory Committee had spent a lot of time, assisted by a Medina Council member with a legal background, in preparing the updated 2017 draft contract resulting in a much cleaner document. The City of Orono had participated in all those meetings.

Council member Kvale noted that Orono's leadership had changed since then, and could shift again. Mayor Miner stated that it appears the issue is being driven by one or maybe two members, but potentially not all members. He indicated the Fire Advisory Committee will be meeting again soon. Interestingly, one of the Orono Council members that was selected to speak to the Fire Department is not on the Fire Advisory Committee.

OTHER BUSINESS

Comprehensive Plan Work Session, Snowball Open – Council member Jerde stated that she will be about 15 minutes late for the Thursday, January 23 Comprehensive Plan Update work session meeting, which starts at 5:00 pm.

She also encouraged supporting the Orono Lions Club and attending their annual Snowball Open event on Saturday, January 25.

Long Lake Rowing Crew Boathouse Proposal/Meeting – Council member Dyvik recalled that “Summit Park neighbors” had been invited to meet with the Long Lake Rowing Crew (LLRC) at the Fire Station regarding their proposed boathouse project for Summit Park. Council member Dyvik had written to LLRC Rob Burrell to emphasize that the LLRC needs to broaden the area they want to canvass as far as moving further in their project discussions, as there are more concerned individuals than just the immediate neighbors. Mr. Burrell responded to the email, and Council member Dyvik will be meeting with him on Friday. He noted that even though the LLRC says they are not planning on expanding, a permanent facility leads to the opportunity for them to expand operations significantly in the future. Immediate neighbors and others are concerned about the size of the proposed structure impacting the look of the area, about the potential for the boathouse to control a portion of Summit Beach, and about overall use of the lake. Council member Skjaret noted that Long Lake is a public waterway and it is there for all users, but it appears the LLRC is trying to use Long Lake exclusively as their private rowing club. City Clerk Moeller added that while the LLRC may have no intention of increasing their “organized” use of the lake and to continue limiting their organizational training and practices activities, those limits would not apply to public rowers. Though they as a club may intend not to expand operations, there is a possibility a permanent presence with increased accessibility may lead to more public rowing usage.

Carp Harvest – Council member Skjaret asked whether there had been any word of a carp biomass netting scheduled to take place soon. Council member Dyvik responded that the Long Lake Waters Association confirmed they are still planning to contract for a carp harvest yet this winter.

Comprehensive Plan Update Work Session – Planning Consultant Imihy stated she had sent out an email earlier today with draft Comprehensive Plan chapters and goals for everyone to review in advance of the Thursday, January 23 work session meeting to be held from 5:00 pm to 8:00 pm. She indicated that sandwiches and snacks will be available, and Metropolitan Council sector representative Jake Reilly will be there to answer questions about the Comprehensive Plan process and follow up steps.

Holbrook Park Warming House Open – Moeller confirmed that rink attendants had been hired and the Holbrook Park Warming House will be open as often as possible for winter skating. There may be some days where staff are unable to open the facility due to schedule conflicts, but City staff will try to fill gaps in staffing where able.

Public Works Updates – Public Works Director Diercks offered the following updates:

A watermain break had occurred earlier in the day at 2415 W Industrial Boulevard. It took 12 hours to repair, and three attempts to stop the leak. Diercks responded to Council member questions regarding who was affected by the break and the water loss that occurred, explaining that the water lost did not go through a meter and was not billed water. He also clarified the difference between a water loss versus I/I. He noted that he had been concerned about the break in proximity to the water tower, and commented on the estimated number of gallons lost in this difficult break.

The Holbrook Park rink is in the best shape its been in years, and Public Works staff will be working on getting the lake rink back up to shape as well – hopefully in time for the Snowball Open.

The second plow truck is back up and running from repair after some major catastrophic failures with the hitch on the front of the plow.

Diercks questioned when to move forward with preparing for getting the hanging flower baskets ready for the summer, focusing on when to deliver the hardware to the planting vendor. Council member Dyvik confirmed Council had already approved the expense for the flower baskets, and offered to contact the vendor to see when she would like the hardware delivered.

Appreciation to Public Works Department – Mayor Miner thanked Diercks and his staff for their hard work this time of year.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:53 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk